

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA

v.

Criminal Case No. 3:19-CR-00130 (MHL)

OKELLO T. CHATRIE,

Defendant.

ORDER

This matter is before the Court on the Defendant's Motion for Reconsideration of Bail pursuant to 18 U.S.C. § 3142(f)(2). Section 3142(f)(2) states in relevant part that "[t]he hearing may be reopened, before or after a determination by the judicial officer, at any time before trial if the judicial officer finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of [the Defendant] as required and the safety of any other person and the community."

During the hearing on June 3, 2021, the Defendant presented new evidence regarding the availability of one proposed third-party custodian and proposed a second third-party custodian. The Court FINDS that this information was not known to the movant at the time of the hearing and is material, and therefore reconsideration pursuant to § 3142(f)(2) is appropriate. The Court further FINDS that in character, the proposed third-party custodians are suitable. Despite their suitability, however, having reconsidered the factors set forth in 18 U.S.C. § 3142(f), in particular the nature and seriousness of the charged offenses; the weight of the evidence, specifically the Defendant's statements and evidence found at the residence; the defendant's limited time in

Virginia and his ties to another country; the availability of the proposed third-party custodians to supervise the Defendant; Defendant's past conduct as set forth in the Pretrial Report; and the danger to any person and the community that would be posed by the Defendant's release, the Court FINDS that there are no conditions or combination of conditions that could be imposed that will reasonably assure the appearance of the Defendant as required and the safety of persons and the community. Accordingly, for these reasons and the reasons stated from the bench, the Defendant's Motion for Reconsideration of Bail is DENIED.

The Defendant is remanded to the continuing custody of the United States Marshal Service pending his Motion Hearing currently scheduled for June 24, 2021 at 10:00 a.m. The Clerk is directed to FILE this Order electronically and notify counsel and United States Pretrial Services accordingly.

It is so ORDERED.

A handwritten signature in black ink, appearing to be "E. Hanes", written over a horizontal line.

Elizabeth W. Hanes
United States Magistrate Judge

Date: June 4, 2021
Richmond, Virginia